

PATENT**D4701-00198****III. Remarks**

Claims 1-75 are pending in the present application.

Applicants are grateful to the Examiner for allowing Claims 1-52.

A. Claim Objection

Claim 75 is objected to as being dependent upon a rejected base claim. Claim 75 has been rewritten to include the features of Claims 70 and 71 from which it depends. Allowance of Claim 75 is respectfully requested.

B. Rejection under 35 U.S.C. §101

The Action rejects claims 53-69 as being directed to non-statutory subject matter. While Applicants disagree with the merits of this rejection, Claims 53-69 have been canceled so as to avoid payment of additional claim fees associated with rewriting Claim 75 in independent form.

C. Rejection under 35 U.S.C. §102(b)

The Action rejects Claims 70-74 as being anticipated by newly cited U.S. Patent No. 6,007,340 to Morrel-Samuels.

Independent Claim 70 has been amended in a manner consistent with features recited in allowed independent Claim 1 to clarify the nature of the evaluation data that are received from the at least one individual participating in an environment. Claim 70 recites that the evaluation data represent impressions of the individual regarding the environment and now further clarifies that “said environment comprising one or more dimensions, each of said one or more dimensions being associated with at least one characteristic of an individual that is responsible at least in part for said environment.” An environment, such as a classroom, school or business environment has a number of different dimensions. It is these dimensions that are affected by, for example, different characteristics of the person that is responsible for the environment. Data can be collected about the environment, as claimed in Claim 70, or data can be collected directly about

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the leadership styles/characteristics of the person that is responsible for the environment, as claimed in amended Claim 73. The environment may be affected by leadership characteristics of the individual responsible for the environment, but environment evaluation data are not themselves data about the characteristics of that individual.

Claim 70 also recites that model data are provided to the individual that is responsible at least in part for the environment representing said one or more dimensions of said environment. In contrast, Claim 74 recites that leadership model data are provided representing usage of a plurality of leadership styles by said individual that is responsible for said environment. This leadership model data are developed at least in part from the collected leadership style data.

In accordance with the foregoing discussion, the application description and claims draw a distinction between environment evaluation data and leadership style evaluation data, and between environment model data and leadership style model data. It is submitted that Morrel-Samuels does not teach or suggest (i) receiving evaluation data for said environment, said environment comprising one or more dimensions, each of said one or more dimensions being associated with at least one characteristic of an individual that is responsible at least in part for said environment, and (ii) providing model data representing said one or more dimensions of said environment.

Morrel-Samuels describes a system for measuring leadership effectiveness of a manager. (Column 2, Lines 53-54). The assessment involves providing a questionnaire (FIGS. 1A and 1B) with questions directed to the "behavioral domains" of the manager being evaluated. (Col. 2, Lines 61-67). The frequency estimation scales 42 ask the respondent "to check their memory as to how many times they recall the occurrence of the characteristic [of the manager] to which the statement 40 is directed." (Column 4, Lines 13-15). A report of the data recorded via the questionnaire is generated. (Column 5, Line 61-Column 6, Line 1).

As described above, amended Claim 70 and its dependent claims distinguish between evaluation data pertaining to an environment and evaluation data pertaining to leadership skill. It

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is submitted that Morrel-Samuels collects data regarding leadership skills or characteristics of the manager, but does not collect data regarding the environment (affected by those skills/characteristics) for which that manager is responsible, where the environment is defined in Claim 70 as said environment comprising one or more dimensions, each of said one or more dimensions being associated with at least one characteristic of an individual that is responsible at least in part for said environment. It also follows that what Morrel-Samuels models (if anything) leadership data, not data regarding the environment.

It is submitted, therefore, that Claim 70 is not anticipated by and is allowable over the cited reference. Claims 71-74 depend from Claim 70 and are, therefore, also allowable. Accordingly, reconsideration and withdrawal of the rejection of Claims 70-74 are respectfully requested.

PATENT**D4701-00198****IV. Conclusion**

In view of the foregoing remarks, Applicants submit that this application is in condition for allowance at an early date, which action is earnestly solicited.

The Commissioner for Patents is hereby authorized to charge any additional fees or credit any excess payment that may be associated with this communication to deposit account 04-1679.

Respectfully submitted,

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Joseph A. Powers, Reg. No.: 47,006
Attorney For Applicants

DUANE MORRIS LLP
30 South 17th Street
Philadelphia, Pennsylvania 19103-4196
(215) 979-1842 (Telephone)
(215) 979-1020 (Fax)